

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

ENRIQUE REYES-CABRERA,)	
)	
Movant,)	
)	
v.)	CR-98-16-B-W
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on December 31, 2009, her Recommended Decision. The Defendant filed his objections to the Recommended Decision on January 14, 2010. I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision, and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
2. It is further ORDERED that the Motion to Reduce Sentence (Docket # 103) be and hereby is DISMISSED without prejudice to Reyes-Cabrera's right to file another 28 U.S.C. § 2255 motion should he ever obtain the First Circuit Court of Appeal's certification to do so.
3. It is further ORDERED that the Government's Motion to Dismiss Motion for Sentence Adjustment (Docket # 106) be and hereby is DISMISSED as moot.

SO ORDERED.

/s/ John A. Woodcock, Jr.

JOHN A. WOODCOCK, JR.

CHIEF UNITED STATES DISTRICT JUDGE

Dated this 3rd day of February, 2010